

117TH CONGRESS  
1ST SESSION

# H. R. 1731

To award grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2021

Ms. BROWNLEY (for herself, Mrs. AXNE, Mr. VARGAS, Mr. PANETTA, Mr. GRIJALVA, Mr. LANGEVIN, Mr. CARBAJAL, Mr. LOWENTHAL, Mr. PRICE of North Carolina, Ms. NORTON, Ms. TITUS, Ms. CHU, Ms. LEGER FERNANDEZ, Mrs. NAPOLITANO, Ms. JACKSON LEE, Mr. CÁRDENAS, Mr. SAN NICOLAS, and Mr. SOTO) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To award grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language.

1       *Be it enacted by the Senate and House of Representa-  
2       tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Biliteracy Education  
5       Seal and Teaching Act” or the “BEST Act”.

1   **SEC. 2. FINDINGS.**

2       Congress finds the following:

3               (1) The people of the United States celebrate  
4               cultural and linguistic diversity and seek to prepare  
5               students with skills to succeed in the 21st century.

6               (2) It is fitting to commend the dedication of  
7               students who have achieved proficiency in multiple  
8               languages and to encourage their peers to follow in  
9               their footsteps.

10              (3) The congressionally requested Commission  
11               on Language Learning, in its 2017 report “America’s Languages: Investing in Language Education  
12               for the 21st Century”, notes the pressing national  
13               need for more people of the United States who are  
14               proficient in two or more languages for national se-  
15               curity, economic growth, and the fulfillment of the  
16               potential of all people of the United States.

17              (4) The Commission on Language Learning  
18               also notes the extensive cognitive, educational, and  
19               employment benefits deriving from biliteracy.

20              (5) Biliteracy in general correlates with higher  
21               graduation rates, higher grade point averages, high-  
22               er rates of matriculation into higher education, and  
23               higher earnings for all students, regardless of back-  
24               ground.

1                         (6) The study of America's languages in ele-  
2         mentary and secondary schools should be encouraged  
3         because it contributes to a student's cognitive devel-  
4         opment and to the national economy and security.

5                         (7) Recognition of student achievement in lan-  
6         guage proficiency will enable institutions of higher  
7         education and employers to readily recognize and ac-  
8         knowledge the valuable expertise of bilingual stu-  
9         dents in academia and the workplace.

10                        (8) States such as Utah, Arizona, Washington,  
11         and New Mexico have developed innovative testing  
12         methods for languages, including Native American  
13         languages, where no formal proficiency test currently  
14         exists.

15                        (9) The use of proficiency in a government-rec-  
16         ognized official Native American language as the  
17         base language for a Seal of Biliteracy, with pro-  
18         ficiency in any additional partner language dem-  
19         onstrated through tested proficiency, has been suc-  
20         cessfully demonstrated in Hawaii.

21                        (10) Students in every State and every school  
22         should be able to benefit from a Seal of Biliteracy  
23         program.

24 **SEC. 3. DEFINITIONS.**

25         In this Act:

1                             (1) ESEA DEFINITIONS.—The terms “English  
2                             learner”, “secondary school”, and “State” have the  
3                             meanings given those terms in section 8101 of the  
4                             Elementary and Secondary Education Act of 1965  
5                             (20 U.S.C. 7801).

6                             (2) NATIVE AMERICAN LANGUAGES.—The term  
7                             “Native American languages” has the meaning given  
8                             the term in section 103 of the Native American Lan-  
9                             guages Act (25 U.S.C. 2902).

10                           (3) SEAL OF BILITERACY PROGRAM.—The term  
11                             “Seal of Biliteracy program” means any program  
12                             described in section 4(a) that is established or im-  
13                             proved, and carried out, with funds received under  
14                             this Act.

15                           (4) SECOND LANGUAGE.—The term “second  
16                             language” means any language other than English  
17                             (or a Native American language, pursuant to section  
18                             4(a)(2)), including Braille, American Sign Lan-  
19                             guage, or a Classical language.

20                           (5) SECRETARY.—The term “Secretary” means  
21                             the Secretary of Education.

22 **SEC. 4. GRANTS FOR STATE SEAL OF BILITERACY PRO-**

23                             **GRAMS.**

24                             (a) ESTABLISHMENT OF PROGRAM.—

1                     (1) IN GENERAL.—From amounts made available under subsection (f), the Secretary shall award grants, on a competitive basis, to States to enable the States to establish or improve, and carry out, Seal of Biliteracy programs to recognize student proficiency in speaking, reading, and writing in both English and a second language.

8                     (2) INCLUSION OF NATIVE AMERICAN LANGUAGES.—Notwithstanding paragraph (1), each Seal of Biliteracy program shall contain provisions allowing the use of Native American languages, including allowing speakers of any Native American language recognized as official by any American government, including any Tribal government, to use equivalent proficiency in speaking, reading, and writing in the Native American language in lieu of proficiency in speaking, reading, and writing in English.

18                    (3) DURATION.—A grant awarded under this section shall be for a period of 2 years, and may be renewed at the discretion of the Secretary.

21                   (4) RENEWAL.—At the end of a grant term, a State that receives a grant under this section may reapply for a grant under this section.

24                   (5) LIMITATIONS.—A State shall not receive more than 1 grant under this section at any time.

1                         (6) RETURN OF UNSPENT GRANT FUNDS.—

2                         Each State that receives a grant under this section  
3                         shall return any unspent grant funds not later than  
4                         6 months after the date on which the term for the  
5                         grant ends.

6                         (b) GRANT APPLICATION.—A State that desires a  
7                         grant under this section shall submit an application to the  
8                         Secretary at such time, in such manner, and containing  
9                         such information and assurances as the Secretary may re-  
10                         quire, including—

11                         (1) a description of the criteria a student must  
12                         meet to demonstrate the proficiency in speaking,  
13                         reading, and writing in both languages necessary for  
14                         the State Seal of Biliteracy program;

15                         (2) a detailed description of the State's plan—

16                                 (A) to ensure that English learners and  
17                         former English learners are included in the  
18                         State Seal of Biliteracy program;

19                                 (B) to ensure that—

20   (i) all languages, including Native  
21                         American languages, can be tested for the  
22                         State Seal of Biliteracy program; and

23   (ii) Native American language speak-  
24                         ers and learners are included in the State  
25                         Seal of Biliteracy program, including stu-

1                   dents at tribally controlled schools and at  
2                   schools funded by the Bureau of Indian  
3                   Education; and

4                   (C) to reach students, including eligible  
5                   students described in subsection (c)(2) and  
6                   English learners, their parents, and schools  
7                   with information regarding the State Seal of  
8                   Biliteracy program;

9                   (3) an assurance that a student who meets the  
10                  requirements under paragraph (1) and subsection  
11                  (c) receives—

12                  (A) a permanent seal or other marker on  
13                  the student's secondary school diploma or its  
14                  equivalent; and

15                  (B) documentation of proficiency on the  
16                  student's official academic transcript; and

17                  (4) an assurance that a student is not charged  
18                  a fee for providing information under subsection  
19                  (c)(1).

20                  (c) STUDENT PARTICIPATION IN A SEAL OF  
21                  BILITERACY PROGRAM.—

22                  (1) IN GENERAL.—To participate in a Seal of  
23                  Biliteracy program, a student shall provide informa-  
24                  tion to the State that serves the student at such  
25                  time, in such manner, and including such informa-

1       tion and assurances as the State may require, in-  
2       cluding an assurance that the student has met the  
3       criteria established by the State under subsection  
4       (b)(1).

5               (2) STUDENT ELIGIBILITY FOR PARTICIPA-  
6       TION.—A student who gained proficiency in a second  
7       language outside of school may apply under para-  
8       graph (1) to participate in a Seal of Biliteracy pro-  
9       gram.

10          (d) USE OF FUNDS.—Grant funds made available  
11       under this section shall be used for—

12               (1) the administrative costs of establishing or  
13       improving, and carrying out, a Seal of Biliteracy  
14       program that meets the requirements of subsection  
15       (b); and

16               (2) public outreach and education about the  
17       Seal of Biliteracy program.

18          (e) REPORT.—Not later than 18 months after receiv-  
19       ing a grant under this section, a State shall issue a report  
20       to the Secretary describing the implementation of the Seal  
21       of Biliteracy program for which the State received the  
22       grant.

1        (f) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this section  
3 \$10,000,000 for each of fiscal years 2022 through 2026.

